

REMARKS

The Office Action of July 9, 2008 has been carefully reviewed, and this response addresses the Examiner's concerns.

I. Status of the Claims

Claims 1-22 are currently pending in this application.

Claims 1-22 are amended.

Support in the specification for the amendments to claims 1-22

This application is a National Stage Entry of PCT/PL03/00147 and support for the amendments to claims 1-22 is found in the original claims of the PCT application.

II. The Restriction Requirement

In the Office Action, the Examiner restricts the claims as follows:

Species 1. Figs. 1-8 (Claims 1-6 and 14-15).

Species 2. Figs. 9-10 (Claims 7-8 and 19).

Species 3. Figs. 11-12 (Claims 9-10 and 20).

Species 4. Figs. 13-14 (Claims 11-13, 16-18 and 21-22).

"In general, a generic claim should require no material element additional to those required by the species claims, and each of the species claims must require all the limitations of the generic claim." (MPEP 806.04(d)). Claims 1 is generic to all claims since claims 2-22 require all the limitations of claim 1.

The above restriction is respectfully traversed for the reasons set forth below. However, as required under 37 CFR 1.143, to complete the response, Applicants have provisionally elected for examination claims 1-6 and 14-15, corresponding to Species 1.

"Once a generic claim is allowable, all of the claims drawn to species in addition to the elected species which require all the limitations of the generic claim will ordinarily be allowable over the prior art in view of the allowability of the generic claim, since the additional species will depend thereon or otherwise require all of the limitations thereof." (MPEP 806.04 (d)).

Claim 1 is generic to all the claims. Claim 1 applies to all structures and therefore is part of all species. Thus, since claims 1 must be searched there is no added burden caused by examining the claims drawn to all the species. Since the "search and examination of an entire application can be made without serious burden," it must be examined on the merits. (MPEP 803).

Furthermore, it is well established that restriction is not mandatory merely because the subject matter of the claims may be separately classified. In light thereof, it is believed that an action on the merits of claims 1-22 in a single application is now in order.

III. Conclusion

In view of the foregoing discussion, Applicants respectfully request that the requirement for restriction as to Species 1 is improper and should be withdrawn.

Although no fees are to be required, the Director of Patents and Trademarks is hereby authorized to charge any underpayment of fees to or credit any overpayment of fees to Deposit Account No. 03-2410, Order No. 31815-101.

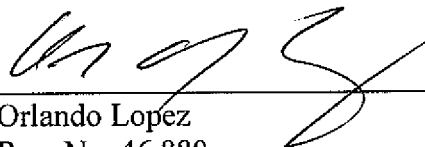
In accordance with Section 714.01 of the M.P.E.P., the following information is presented in the event that a call may be deemed desirable by the Examiner:

ORLANDO LOPEZ (617) 345-3000

Respectfully submitted,
Marek Konstanczak, Applicant

Dated: August 8, 2008

By:


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